

MEMORANDUM

Agenda Item No. 7(J)(2)(A)

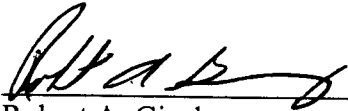
TO: Hon. Chairperson and Members
Board of County Commissioners

DATE: June 3, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Resolution relating to the
Five-Cent Local Option
Gas Tax

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Bruno A. Barreiro.


Robert A. Ginsburg
County Attorney

RAG/bw

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MEMORANDUM

(Revised)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: June 3, 2003

FROM: Robert A. Ginsburg
County Attorney

A handwritten signature in black ink, appearing to read "R. A. Ginsburg", is written over the printed name of the County Attorney.

SUBJECT: Agenda Item No. 7(J)(2)(A)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 7 (J) (2) (A)
6-3-03

RESOLUTION NO. _____

RESOLUTION DIRECTING THAT IN FISCAL YEAR 2002-2003 AND SUBSEQUENT FISCAL YEARS THE COUNTY PROVIDE MDT AND OPTM WITH AT LEAST THE SAME PROPORTIONATE SHARE OF CAPITAL IMPROVEMENT LOCAL OPTION GAS TAX REVENUE AND THE SAME LEVEL OF IN-KIND SUPPORT PROVIDED TO MDTA DURING THE FISCAL YEAR ENDING SEPTEMBER 30, 2002

WHEREAS, during the fiscal year ending September 30, 2002, the general fund support for the Miami-Dade Transit Agency (MDTA) was \$111,800,000; and

WHEREAS, on July 9, 2002, the Board of County Commissioners adopted Ordinance #02-116 levying a one-half of one percent surtax for transit that included a provision indicating that the intention of the Board of County Commissioners is that the amount of general fund support for MDTA in fiscal year ending September 2003 and subsequent years shall be no less than the general fund support that MDTA received in the fiscal year ended September 30, 2002; and

WHEREAS, in addition to the general fund support of \$111,800,000 that MDTA received in the fiscal year ending September 30, 2002, MDTA also received in-kind support from other County agencies and departments without charge or at reduced charges; and

WHEREAS, after the enactment of Ordinance #02-116 and specifically on January 17, 2003, the County Manager restructured MDTA by creating two departments, Miami-Dade Transit (MDT) and the Office of Public Transportation Management (OPTM); and

WHEREAS given the division of MDTA into two departments after the enactment of Ordinance #02-116, it is the intention of the Board of County Commissioners that the

Maintenance of Effort provided in Section 5 of Ordinance # 02-116 apply to MDT and OPTM collectively (hereafter referred to as MDT/OPTM); and

WHEREAS, it is the intention of the Board of County Commissioners that in the fiscal year ending September 30, 2003 and subsequent fiscal years that MDT/OPTM be provided with at least the same level of no-cost or reduced cost goods and services that were provided to MDTA in the fiscal year ended September 30, 2002; and

WHEREAS, in the fiscal year ending September 30, 2002, MDTA received approximately \$14,760,000 of Capital Improvement Local Option Gas Tax revenue in addition to general fund support; and

WHEREAS, it is the intention of the Board of County Commissioners that in the fiscal year ending September 30, 2003 and subsequent fiscal years that MDT/OPTM be provided at least the same proportionate share of Capital Improvement Local Option Gas Tax revenue that resulted in MDTA receiving \$14,760,000 in the fiscal year 2001-02 and that such share be adjusted proportionately with any change in the Capital Improvement Local Option Gas Tax revenues collected,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that in fiscal year 2002-2003 and subsequent fiscal years the County is directed to provide MDT/OPTM with at least the same proportionate share of Capital Improvement Local Option Gas Tax revenue that resulted in MDTA receiving \$14,760,000 in the fiscal year 2001-02 and that such share be adjusted proportionately with any change in the Capital Improvement Local Option Gas Tax revenues collected and in fiscal year 2002-2003 and subsequent fiscal years the County is also directed to provide MDT/OPTM with at least the same level of in-kind support provided to MDTA during

the fiscal year ending September 30, 2002. The County Manager is also directed to follow these directives in the preparation of the County budget for the fiscal year 2003-2004 and subsequent years. Any deviation from these maintenance-of-effort directives shall be explicitly reported in writing to the Board of County Commissioners.

The foregoing resolution was sponsored by Commissioner Bruno A. Barreiro and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jimmy L. Morales
Dorrin D. Rolle
Katy Sorenson

Dr. Barbara Carey-Shuler
Betty T. Ferguson
Joe A. Martinez
Dennis C. Moss
Natacha Seijas
Rebeca Sosa

Sen. Javier D. Souto

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of June, 2003. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA

BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency.



Eric A. Rodriguez

By: _____
Deputy Clerk